



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: September 19, 2017

Subject: AB 109 Contract for Operation of a West County Reentry Resource Center for FY 2017-18

RECOMMENDATION(S):

1. APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract with Rubicon Programs, Inc. in an amount not to exceed \$408,750 for the operation of a West County Reentry Resource Center (RFQ 1706-231) for the County's AB 109 Realignment Program for the period October 1, 2017 through June 30, 2018, subject to approval by the County Administrator and approval as to form by County Counsel.

OR

2. APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment, effective September 30, 2017, with Rubicon Programs, Inc. to increase the payment limit by \$43,750 to a new payment limit of \$678,943 for the operation of the West County Reentry Success Center, and extend the term from September 30, 2017 to October 31, 2017.

AND

3. DIRECT the Office of Reentry and Justice to prepare a policy addressing when contracts

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/19/2017** ☒ APPROVED AS RECOMMENDED ☒ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 19, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: L. DeLaney,
925-335-1097

cc:

for AB 109 services should be submitted to the Community Corrections Partnership for review, and present the policy to the Community Corrections Partnership for its review and recommendation before presenting the policy to the Board of Supervisors for its consideration.

RECOMMENDATION(S): (CONT'D)

FISCAL IMPACT:

Rubicon Programs, Inc.: \$408,750

\$408,750 for FY 2017/18, 100% funded by State Public Safety Realignment Revenue (AB 109)

BACKGROUND:

In 2011, the California Legislature passed the Public Safety Realignment Act (Assembly Bill 109), which transferred responsibility of incarceration and community supervision of individuals convicted of specific low-level felonies from the California Department of Corrections and Rehabilitation to counties. This Act tasked local government at the county level with developing a new approach to reducing recidivism among this population. AB 109 took effect October 1, 2011 and realigned three major areas of the criminal justice system.

On a prospective basis, the legislation:

- Transferred the location of incarceration for individuals convicted of lower-level specified non-violent, non-serious, non-sex offenses from state prison to local county jail pursuant to Penal Code 1170 (h) and provides for an expanded role for their post-release Mandatory Supervision;
- Transferred responsibility from the State to the County for post-release supervision of those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense by creating a new category of supervision called Post-Release Community Supervision (PRCS);
- Transferred the housing responsibility for parole and PRCS revocations to local jail custody.

AB 109 also tasked the local Community Corrections Partnership (CCP) with recommending to the County Board of Supervisors a plan for implementing criminal justice realignment. The Board of Supervisors adopted the first Contra Costa County Realignment Plan on October 4, 2011 (Agenda Item No. D.5), as recommended by the Executive Committee of the CCP.

On January 13, 2017 the Community Corrections Partnership (CCP) Executive Committee approved a FY 2017-18 AB 109 Public Safety Realignment Budget for recommendation to the Board of Supervisors. The Recommended Budget included \$4,867,201 for "AB 109 Community Programs." This budget included revenue in the amount of \$15,000 to support a collaborative effort between the Reentry Network (serving the East and Central Regions of the County) and the Reentry Success Center (operating as the County's West County Reentry Resource Center) to jointly:

- Create and circulate quarterly newsletters for people incarcerated in Contra Costa County detention facilities highlighting success stories and services offered by the

Center and the Network.;

- Outreach and promote reentry services through countywide community events targeted for the reentry population and their families; and
- Enlist volunteer/participant recruitment, outreach to community members, and conduct community forums to generate public interest in the services and activities of both the Center and Network.

While this project is intended to be implemented as a collaboration between the Network and Center, the revenue will be included as part of FY 2017-18 contract to operate the West County Reentry Resource Center. On June 20, 2017 the Board of Supervisors authorized \$4,210,000 of the "Community Programs" revenue for the renewal of contracts with existing service providers who were awarded contracts through various RFP/Q processes in 2016 and were found to be performing satisfactorily. [BoS: June 20, 2017; C 49]. Since this authorization, the ORJ has been actively engaged in the process of executing renewals of these contracts where appropriate.

To comply with County policy regarding multi-year contracts and the requirement to undertake regular procurement processes, on May, 25, 2017, the Office of Reentry & Justice (ORJ) conducted a Request for Interest (RFI) process for the balance of the AB 109 Community Program contracts that were for new services or not otherwise eligible for renewal. The expectation for this process was that more detailed responses would be requested if there were more than one qualified agency that expressed interest in providing any of the identified services. Two separate RFIs were released.

The first was an RFI to enter into a contract for up to \$540,000 to operate the County's West County Reentry Resource Center (RFI # 1705-224). The second was an RFI for the award of contracts collectively amounting to \$185,00 to provide reentry services to the Central-East County Reentry Network in the following service areas (RFI # 1705-223):

- \$65,000 - Specialized Vocational Training - Automotive Services and Repair;
- \$60,000 - Employment and Educational Liaison Services; and
- \$60,000 - Gender Responsive In-Reach and Transitional Planning for Women.

To prevent any disruption in service delivery while the ORJ completed the procurement process for these services, the FY 2016-17 contracts with Rubicon Programs, Inc. for the operation of the West County Reentry Resource Center and with Reach Fellowship International to provide "Employment and Education Liaison Services to Women" were amended to extended each contract through September 30, 2017. To accomplish this, the ORJ applied \$131,250 of the FY 2017-18 allocation towards an increase in the payment limit of the contract with Rubicon Programs to cover the cost of the extension period [BoS: 7/11/17; C 105], and similarly applied \$15,000 of the FY 2017-18 allocation to increase the payment limit of the contract with Reach Fellowship International.

West County Reentry Resource Center

Through the RFI process, the ORJ was able to identify two qualified organizations that

expressed interest in providing services to the County for the "Operation of the West County Reentry Resource Center." Each agency was then invited to submit a expanded response that more thoroughly detailed the agency's qualifications and its ability to provided the solicited services as described by the County [RFQ 1706-231]. Because of the three month extension provided to current contractors, this RFQ sought to find a contractor to provide the described services from October 1, 2017 through June 30, 2018 for an amount of up to \$408,750.

On August 8, 2017, the ORJ convened a Review Panel to evaluate each agency's expanded response to the RFQ. The Panel consisted of the following members:

1. Jeff Waters, County Probation Department Manager
2. Tamina Alon, Contra Costa Family Justice Center, Director of Operations
3. Stephanie Medley, RYSE, Inc., Youth Justice Director
4. Charles Brown III, EHSD - Workforce Development Board, Business Services Representative
5. Jason Schwarz, AB109 Community Advisory Board Chair

The review panel rating session was facilitated by Lara DeLaney, Director of the Office of Reentry & Justice. Ms. DeLaney did not participate in the scoring of the responses. As with prior AB 109 RFP and RFQ processes, the review panel utilized a "Consensus Scoring Methodology" for response evaluation and rating, and all members were required to return a signed Impartiality Statement before serving in order to ensure there were no conflicts of interest.

Each invited agency did submit a qualifying response that was forwarded to the Panel for review, and the panel produced the following scores after its evaluation of each proposal:

Name of Respondent Proposal Score

1. Rubicon Programs, Inc. 91.5
2. Mental Health Systems 75.5

Based on the result of this evaluation process, the Review Panel provided a recommendation that the County enter into a contract with Rubicon Programs, Inc. in an amount of up to \$408,750 to provide services to Operate a West County Reentry Resource Center from October 1, 2017 through June 30, 2018. Notification of this recommendation was published, and no appeal of this result was received by the County during the appeal period.

Under the terms of the contract, Rubicon Programs, Inc. will be responsible for continuing to lease the physical space in which the Center is located and operating the Center by providing reentry services to the County's reentry population. Rubicon Programs, Inc. shall develop coordinated intake, assessment, referral, and data management policies and practices to support efficient triage and service coordination for each Client. For each Client, as appropriate to and requested by Client, Rubicon staff shall coordinate intake and

assessment, creation of an individualized development plan, and referral of the Client to on- and off-site Contract Service Providers, Local Agencies, and other Center Partners. The Center shall include a dedicated room or other space that includes computers, phones, and informational materials for use by Clients during all hours of Center operations. Rubicon staff shall work with its on-site partners to ensure that Clients can be connected to a mentor/navigator, Clients, and partners. Rubicon staff shall utilize a data management system, Salesforce, to track Center outcomes, Client service and information flow. Rubicon shall ensure that all of the Program-related data the Contractor collects and provides to the County is accurate. Rubicon shall conduct data collection and evaluation in conjunction with Center Partners. Rubicon shall be solely responsible for ensuring that data collection, storage, distribution, and disposal complies with, all state and federal laws related to gathering personal information and ensuring Clients' privacy rights. Rubicon shall work collaboratively with the County to ensure that all data requested by the County is collected and provided to enable County to evaluate the services provided and program outcomes.

Agenda Item Continued from September 12, 2017 Board of Supervisors' Meeting

On September 12, the Board also asked for clarification on the Community Corrections Partnership's role in the AB 109 Realignment services procurement process. When the County seeks a contractor to provide AB 109 services, the County Office of Reentry and Justice (ORJ) typically will issue a request for proposals (or a similar document) to solicit proposals from contractors. After ORJ receives responses to the RFP, ORJ staff convenes a review panel to evaluate the responses. A review panel typically consists of five members who are stakeholders in the reentry and justice fields. One or more review panel members may be County employees. Each member of a review panel must sign an impartiality statement verifying that they have no conflict of interest in the contract being reviewed. The review panel evaluates the responses and assigns a score to each proposal. The review panel then recommends that the highest scorer be awarded the contract.

If time permits, the review panel's recommendation is forwarded to either the Community Corrections Partnership (CCP) or the Board's Public Protection Committee (PPC) for further review and recommendation to the Board of Supervisors. There is no legal requirement that either the CCP or the PPC review a proposed contract between the County and an AB 109 service provider before the contract is presented to the Board for its consideration. When either the CCP or the PPC reviews a proposed contract, it has been staff's practice to provide these entities with the review panel's score but not with each potential contractor's entire response. The final step in the process is for the Board of Supervisors to award a contract. It has been staff's practice to provide the Board with the review panel's score but not with each potential contractor's entire response. The decision on whether to enter into a contract with a contractor for AB 109 services is entirely within the Board's discretion.

To date, the Board has not adopted a policy addressing when AB 109 contracts should be submitted to the CCP for recommendation, or whether RFP responses should be part of the CCP recommendation process. If the Board would like ORJ to develop a policy on this

issue, staff recommends that a contract approval policy first be presented to the CCP for review and recommendation, and then approval by the Board. If it is determined that RFP responses should be provided to CCP members at any stage, the RFP responses will become public documents at that time. Individuals responding to RFPs should be advised of the policy as part of the application process so they will know the circumstances that will result in their responses becoming public records.

CONSEQUENCE OF NEGATIVE ACTION:

A contract will not be authorized for the operation of the Reentry Success Center for FY 2017-18.

CLERK'S ADDENDUM

Speakers: Jane Fischberg, Rubicon; Mariane Moore, Ensuring Opportunity Campaign; Nicholas Alexander, Rubicon.